

1 ASIM M. BHANSALI (SBN 194925)  
2 abhansali@kblfirm.com  
3 KWUN BHANSALI LAZARUS LLP  
4 555 Montgomery St., Suite 750  
San Francisco, CA 94111  
Telephone: (415) 630-2350

5 Attorneys for Non-Party  
6 Google, LLC

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11 EPIC GAMES, INC.,

12 Plaintiff, Counter-defendant,

13 vs.

14 APPLE INC.,

15 Defendant, Counterclaimant.  
16  
17

Case No. 4:20-CV-05640-YGR-TSH

**DECLARATION OF ASIM M.  
BHANSALI IN SUPPORT OF APPLE  
INC.'S ADMINISTRATIVE MOTION  
TO PARTIALLY SEAL FINDINGS OF  
FACT AND CONCLUSIONS OF LAW  
(ECF 778)**

The Honorable Yvonne Gonzalez Rogers

Trial: May 3, 2021

1 I, Asim M. Bhansali, declare as follows:

2 1. I am a member of the State Bar of California and a partner with Kwun Bhansali  
3 Lazarus LLP, counsel of record for non-party Google, LLC. I have personal knowledge of the  
4 matters set forth in this declaration and if called as a witness I could and would testify  
5 competently to them. I submit this declaration in support of sealing portions of the post-trial  
6 Findings of Fact and Conclusions of Law filed by Apple Inc., ECF 779 (FOF/COL).

7 Paragraphs 399.2 and 399.3 of Apple's FOF/COL

8 2. Paragraphs 399.2 and 399.3 at page 126 of Apple's FOF/COL, reflecting  
9 confidential information from exhibits DX-4310 and DX-3598, which were produced by Google,  
10 contain and reflect confidential Google surveys and analyses of consumer information and  
11 preferences.

12 3. Google previously submitted a declaration from Andrew Rope, ECF 506-1 at ¶¶  
13 20 and 23, to seal the underlying documents, exhibits DX-4310 and DX-3598, from which the  
14 redacted portions of Paragraphs 399.2 and 399.3 are derived. In that declaration, a copy of which  
15 is attached hereto as Exhibit A, Mr. Rope explained that these documents contain confidential  
16 Google information which, if revealed to competitors, could be used by competitors to selectively  
17 cite to the findings to disadvantage Google in marketing, and they could take advantage of the  
18 costly and detailed internal Google analyses to tailor their own product design and marketing in  
19 ways that further disadvantage Google.

20 4. In its Pretrial Order No. 7, ECF 547, at p. 3, this Court deferred its ruling on these  
21 portions of Google's prior request to seal. For the reasons stated in the prior Rope Declaration,  
22 ECF 506-1, Google renews its request to seal this confidential Google business information to  
23 avoid public disclosure of non-public and sensitive business analyses.

24 Paragraph 593 of Apple's FOF/COL

25 5. Paragraph 593 at page 177 of Apple's FOF/COL, reflecting confidential  
26 information from ¶ 57 of the Rubin written testimony, contains and reflects confidential Google  
27 business information on security assessments.

28 6. Google previously submitted a declaration from Andrew Rope, ECF 535 at ¶ 10,

1 to seal the underlying Rubin written testimony. In that declaration, a copy of which is attached  
2 hereto as Exhibit B, Mr. Rope explained that this testimony, which derives from confidential  
3 Google documents, contains non-public information on Google's procedures for security reviews  
4 of apps submitted to the Google Play Store, public disclosure of which could enable malefactors  
5 to create or exploit security risks on consumer devices.

6 7. In its Trial Order No. 4, ECF 614, at p. 11, this Court granted the portions of  
7 Google's request to seal ¶ 57 of the Rubin written testimony from which the relevant excerpts of  
8 ¶¶ 399.2 and 399.3 of Apple's FOF/COL are drawn. For the reasons stated in the prior Rope  
9 Declaration, ECF 535, and consistent with the Court's Trial Order No. 4 granting Google's  
10 request to seal, Google respectfully submits that the Court should seal the redacted portions of ¶  
11 593 of Apple's FOF/COL that the Court already has ruled should appropriately be sealed.

12  
13 I declare under penalty of perjury that the foregoing is true and correct and that I executed  
14 this declaration on June 1, 2021, in San Francisco, California.

15  
16  
17 /s/ Asim M. Bhansali  
Asim M. Bhansali